

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CRIMINAL CASE NO. 1:06cr251**

**UNITED STATES OF AMERICA, )**

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**)**

**vs. )**

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**)**

**CHRISTOPHER ALLEN HUNTER.)**

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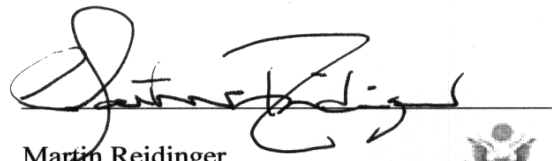
**ORDER**

**THIS MATTER** is before the Court on the Defendant's Motion for Reduction of Sentence under 18 U.S.C. §3582(c)(2) and to Strike Illegal Portion of Sentence [Doc. 305].

The Defendant claims that his sentence is illegal because he was not provided the benefit of the crack cocaine guideline amendment, Amendment 706. That Amendment, which became effective on November 1, 2007, lowered the base offense level for most cocaine base convictions. The Defendant was sentenced on April 23, 2008 and the 2007 edition of the United States Sentencing Guidelines Manual was used to prepare his presentence report. [Doc. 245, at 6]. As a result, he received the benefit of the amendment in the calculation of his base offense level. [Id., at 7].

**IT IS, THEREFORE, ORDERED** that the Defendant's Motion for Reduction of Sentence under 18 U.S.C. §3582(c)(2) and to Strike Illegal Portion of Sentence [Doc. 305] is hereby **DENIED** as moot.

Signed: December 10, 2009

  
Martin Reidinger  
United States District Judge

